

C.9

MEMO TO: City Council

FROM: Rosemarie Ives, Mayor

QUASI-JUDICIAL

DATE: March 1, 2005

SUBJECT: ORDINANCE: PORTICO PLACE II PLANNED RESIDENTIAL DEVELOPMENT, L040057

I. RECOMMENDED ACTION

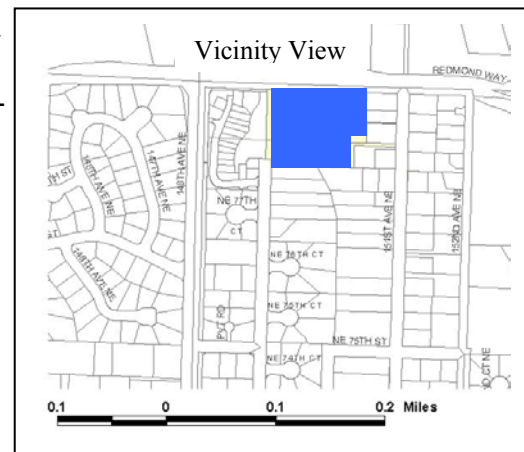
By motion, adopt the attached ordinance approving the Portico Place II Planned Residential Development, subject to the conditions outlined in the Hearing Examiner's report dated February 9, 2005.

II. DEPARTMENT CONTACT PERSONS

Roberta Lewandowski, Director, Planning and Community Development, 425-556-2447
Judd Black, Planning Manager, 425-556-2426
Steven Fischer, Senior Planner, 425-556-2432

III. DESCRIPTION/BACKGROUND

The applicant has requested approval of a Planned Residential Development (PRD) overlay to create 9 single-family detached residential lots on a 2.54-acre site located at 14937 Redmond Way. The existing single-family home and its associated garage are proposed to be removed. This site is significantly limited by steep slopes, leaving approximately 1.04 acres of buildable area with the remainder to be placed in a Native Growth Protection Easement. The Hearing Examiner has recommended approval of this PRD application.



The Hearing Examiner held the public hearing for this project on January 31, 2005. An electronic copy of the Technical Committee report was sent to the Council prior to the hearing. The Findings of Fact, Conclusions, and Recommendations of the Hearing Examiner for this application were provided to City Council on February 9, 2005. The reconsideration period expired on February 24, 2005. Copies of the Hearing Examiner's report are available from the project planner.

IV. IMPACT

Service Delivery: Staff does not anticipate a significant impact in service delivery needs or fiscal impact as a result of the approval of this project.

V. ALTERNATIVES

A. **Approve the Hearing Examiner's recommendation.** The Hearing Examiner has recommended approval with certain conditions of the Planned Residential Development for the Portico Place II project. Approval of this recommendation will allow this project to move forward as designed with a series of modifications to standards allowed under the PRD provisions of the Redmond Community Development Guide.

B. **Approve the Hearing Examiner's recommendation with modifications.** The City Council may choose to approve the Hearing Examiner's recommendation with modifications, based on Council findings that alternate conditions would better implement adopted regulations. This action would likely result in a redesign of the project.

C. **Not approve the Hearing Examiner's recommendation.** The City Council may choose not to approve the Planned Residential Development for the Portico Place II project, based on findings that the project, as designed, is inconsistent with adopted regulations. This action would result in the developer having to redesign or not pursue the project.

D. **Remand the application to the Hearing Examiner for additional review limited to specific issues identified by the Council.** The City Council may identify specific issues that must be addressed before a decision can be issued. These issues may be remanded to the Hearing Examiner and the applicant for further review. Upon resolving the issues, the application could be brought back before the City Council with an ordinance for consideration.

VI. TIME CONSTRAINTS

There are no specific time constraints regarding the approval of this project; however, state law requires timely processing of development applications.

VII. LIST OF ATTACHMENTS

Attachment A: Ordinance Adopting the Hearing Examiner's Findings, Conclusions, and Recommendations for the Portico Place II PRD, L040057, dated February 9, 2005.

Attachment B: Site Map of Proposed Development

/s/

Roberta Lewandowski, Planning Director

2/11/05

Date

Approved for Council Agenda: /s/

Rosemarie Ives, Mayor

2/18/05

Date

ATTACHMENT A

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING THE HEARING EXAMINER'S FEBRUARY 9, 2005 RECOMMENDATION TO APPROVE WITH CONDITIONS THE PORTICO PLACE II PLANNED RESIDENTIAL DEVELOPMENT (FILE L040057) AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Puget Homes, herein referred to as applicant, submitted an application to develop a nine-lot planned residential development (PRD) on 2.54 acres located at 14937 Redmond Way; and

WHEREAS, a planned residential development is a Type IV permit decision; and

WHEREAS, the Redmond Community Development Guide authorizes the Hearing Examiner to conduct an open record hearing for the planned residential development and make a recommendation with findings of fact, conclusions of law, and conditions of approval for the PRD to the City Council for consideration; and

WHEREAS, on January 31, 2005, the Hearing Examiner conducted an open record hearing to receive and review the application record and to hear verbal testimony relative to the Portico Place II Planned Residential Development (File L040057) and Preliminary Plat (L040056); and

WHEREAS, on February 9, 2005, the Hearing Examiner conditionally approved the Portico Place II preliminary plat (L040056) and recommended approval of the Portico Place II PRD (File L040057) subject to conditions; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Findings, Conclusions, and Conditions of Approval. After carefully reviewing the record and considering the evidence and arguments in the record and in the Hearing Examiner's recommendation, the City Council hereby adopts the findings, analysis, and conclusions in the Hearing Examiner's recommendation for the Portico Place II PRD dated February 9, 2005.

Section 2. Approval. The City Council hereby approves the Portico Place II Planned Residential Development, subject to the conditions of approval identified in the Hearing Examiner's recommendation dated February 9, 2005.

Section 3. Duties of Planning Director. The Planning Director is hereby authorized and directed to make any appropriate notations on the official zoning map of the city in order to reflect the approval of the PRD as provided in this ordinance.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City's legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND

ROSEMARIE IVES, MAYOR

ATTEST/AUTHENTICATED:

BONNIE MATTSON, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: _____

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: _____

ATTACHMENT B



PORTICO II SITE PLAN